

REISSUE

ATTORNEY DOCKET NO. 68895

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue of U.S. Patent
No. 5,780,987

Applicants:
James J. FITZGIBBON
John V. MORAVEC

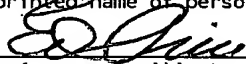
Application No.:
N/A

Filed: Concurrently Herewith

Title: BARRIER OPERATOR
HAVING SYSTEM FOR
DETECTING ATTEMPTED
FORCED ENTRY

Group
Art Unit: N/A

Examiner: N/A

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DECLARATION

BOX REISSUE
Honorable Commissioner of Patents
and Trademarks
ATTENTION: Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

WE, JAMES J. FITZGIBBON and JOHN V. MORAVEC hereby declare
that:

1. Our respective residences, post office addresses and
citizenship are as stated below next to our names.

2. We verily believe ourselves to be the original, first
and joint inventors of the subject matter which is claimed in the
present application for which we solicit a reissue patent on the

invention entitled "Barrier Operator Having System For Detecting Attempted Forced Entry."

3. We have reviewed and understand the content of the Specification, including the Claims of the present application.

4. The entire title of U.S. Letters Patent No. 5,780,987 entitled "BARRIER OPERATOR HAVING SYSTEM FOR DETECTING ATTEMPTED FORCED ENTRY" (the '987 patent) which issued July 14, 1998, is vested in The Chamberlain Group, Inc.

5. We acknowledge the duty to disclose information which is material to the examination of the present application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

6. There is no foreign application for patent or inventor's certificate on this invention filed by us or our legal representatives or assigns having a filing date before that of any application on which priority is claimed.

7. We believe the aforesaid Letters Patent 5,780,987 to be wholly or partly inoperative by reason of our claiming less than we had a right to claim in the patent. More specifically, the claims of Patent No. 5,780,987 are all drawn to apparatus and do not include method claims. Further, the independent claims are all unduly limited by including recitation of apparatus for sensing barrier motion and/or a timer for enabling alarm signal generation..

8. The above errors arose without any deceptive intention on our part.

9. All statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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